

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
CHARLESTON DIVISION**

ROBERT BLAKE,

Plaintiff,

v.

CIVIL ACTION NO. 2:10-cv-01152

DAVID BALLARD, et al.,

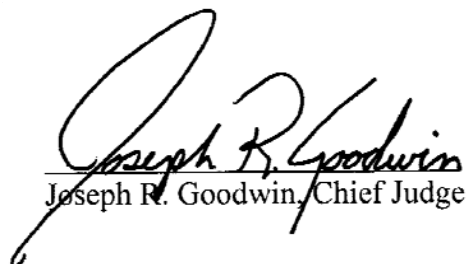
Defendants.

MEMORANDUM OPINION AND ORDER

This action was referred to the Honorable Mary E. Stanley, United States Magistrate Judge, for submission to this court of proposed findings of fact and recommendation for disposition, pursuant to 28 U.S.C. § 636(b)(1)(B). The Magistrate Judge has submitted findings of fact and recommended that the court dismiss the plaintiff's complaint with prejudice under 28 U.S.C. § 1915A.

Neither party has filed objections to the Magistrate Judge's findings and recommendation. Accordingly, the court accepts and incorporates herein the findings and recommendation of the Magistrate Judge. The court **DISMISSES** the plaintiff's Complaint with prejudice. The court **DIRECTS** the Clerk to send a certified copy of this Memorandum Opinion and Order to Magistrate Judge Stanley, counsel of record, and any unrepresented party.

ENTER: October 28, 2010


Joseph R. Goodwin, Chief Judge